

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

REGINALD G. BAKER,

4:14CV3103

Plaintiff,

v.

**MEMORANDUM
AND ORDER**

LEIGH ANN RETELSDORF, TOM
RILEY, BRENDA LEUCK, and
RYAN LINDBERG,

Defendants.

This matter is before the court on Plaintiff's correspondence dated January 8, 2016. (Filing No. [44](#).) Plaintiff asks the court for a 10 percent reduction of his filing fee obligation.

The method for collecting the filing fee from a prisoner is specifically provided for in [28 U.S.C. § 1915\(b\)](#). Section 1915(b) is written in mandatory terms ("shall"), leaving no discretion to the district court to waive an in forma pauperis prisoner's filing fee. The statute provides that an indigent inmate who files a lawsuit in federal court must pay the \$350.00 filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the court in installments. Specifically, after payment of the initial partial filing fee, "the prisoner *shall* be required to make monthly payments of 20 percent of the proceeding month's income credited to the prisoner's account." [28 U.S.C. § 1915\(b\)\(2\)](#). For the foregoing reasons, Plaintiff's request for the court to reduce the amount of his filing fee obligation will be denied.

IT IS THEREFORE ORDERED that: Plaintiff's request for a reduction in his filing fee obligation is denied. The clerk of the court is directed to term the motion event associated with Filing Number 44.

DATED this 15th day of January, 2016.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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